

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEPHEN J. WILSON,

Defendant.

8:13CR259

ORDER

Defendant Stephen J. Wilson (Wilson) appeared before the court on December 30, 2016, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 56). Wilson was represented by First Assistant Federal Public Defender Jeffrey L. Thomas and the United States was represented by Assistant U.S. Attorney Lecia Wright. Through his counsel, Wilson waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Wilson should be held to answer for a final dispositional hearing before Senior Judge Joseph F. Bataillon.

The government moved for detention. Through counsel, Wilson declined to present any evidence or request a hearing on the issue of detention. Since it is Wilson's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Wilson has failed to carry his burden and that Wilson should be detained pending a dispositional hearing before Senior Judge Bataillon.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Joseph F. Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 10:45 a.m. on January 26, 2017**. Defendant must be present in person.

2. Defendant Stephen J. Wilson is committed to the custody of the Attorney General or her designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 30th day of December, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge